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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,884	09/23/2004	Atsushi Asai	450100-04443	8101

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EXAMINER

HILLERY, NATHAN

ART UNIT PAPER NUMBER

2176

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/508,884	Applicant(s) ASAI, ATSUSHI	
	Examiner Nathan Hillery	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 28 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/19/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 12/28/06.
2. Claims 27 – 42 are pending in the case.

Information Disclosure Statement

3. The information disclosure statement filed 9/23/04 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each publication listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 27 – 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Core (Core Web3D).

Regarding independent claim 27, Core teaches that Sony Community Place Conductor is a multiuser authoring tool used to construct worlds that can be inhabited by more than one person at a time. Users must install the Sony Community Place

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VRML browser before they can step into such worlds. In addition, these worlds must be delivered by Sony's multiuser Community Place Bureau server (p 4, Multiuser (MU) World Builders, second block paragraph), which meet the limitation of **providing, upon satisfaction of specifications, each of the components with a service via a browser.**

Core teaches that World builders typically come with libraries of premade objects, texture maps, background images, and audio files that you can assemble into comprehensive worlds or use as the basis for your own objects. In addition, many world builders come with example scenes that you can use as a starting point for your own worlds (p 1, World Builders, second block paragraph), which meet the limitation of **forming multimedia content by collecting scenes, each scene containing a component group formed by customizing and arbitrarily combining a plurality of components operating on a browser,**

Core teaches that because prototypes can be created using any number of VRML's built-in nodes, including Script nodes that contain programs written in languages such as Java and JavaScript, they can be quite sophisticated. A number of reusable prototype nodes are available on the Web, such as the freely available PROTO Repository, which can save content authors a great deal of time and tedium when it comes to implementing advanced features in their VRML worlds (p 16, second paragraph), which meet the limitation of **the scene also containing a script for operating each component.**

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Core teaches that you can use world builders to assemble preexisting VRML objects into scenes where you can then add hyperlinks, lights, and viewpoints. World builders also allow you to visually customize existing VRML content for your own needs (p 1, World Builders, first block paragraph); and Core teaches that these tools can also be used to create VRML models for use with Java 3D, MPEG-4/ BIFS, and X3D (p 1, Visual Development Tools, fourth block paragraph), which meet the limitation of **reading the multimedia content and loading the component group and script contained in the scene.**

Core teaches that World-builder tools are 3D authoring programs that you can use to create entire VRML scenes from scratch. You can use world builders to assemble preexisting VRML objects into scenes where you can then add hyperlinks, lights, and viewpoints. World builders also allow you to visually customize existing VRML content for your own needs, and many actually offer integrated modeling tools with which you can construct your own objects (p 1, World Builders, first block paragraph), which meet the limitation of **managing a life cycle of each component.**

Core teaches that like most modelers, Nendo offers a large number of modeling commands that can be applied to objects as they're developed. Entire objects (or selected portions of an object), can be copied, pasted, deleted, mirrored, flipped, inverted, extruded, scaled, smoothed, moved, rotated, and much, much more (p 7, first block paragraph), which meet the limitation of **displaying one of the components in a predetermined 3-D virtual space and deleting another of the components previously displayed in the 3-D virtual space.**

Core teaches that the blaxxun Contact browser already supports Universal Media, making it the first VRML browser of its kind (p 5, first two lines), which meet the limitation of **providing a communication service between an interpreter of the script and each component**, since Universal Media means you can craft media-rich worlds that download over the network instantly (p 4, lines 3 – 5).

Core teaches that after assigning behavior components to the model you can visually "wire" together the various input and output fields they contain (see Figure 10-18). Wiring the camcorder's focus buttons to the LED display, allowing users to zoom in and out of the picture, provides additional functionality (p 11, lines 1 – 6), which meet the limitation of **managing focus transition between the one of the components and another of the components**.

Core teaches that after assigning behavior components to the model you can visually "wire" together the various input and output fields they contain (see Figure 10-18). Wiring the camcorder's focus buttons to the LED display, allowing users to zoom in and out of the picture, provides additional functionality (p 11, lines 1 – 6), which meet the limitation of **distributing a corresponding input from a predetermined external key to the one of the components**.

Regarding dependent claims 28 and 31, Core teaches that after assigning behavior components to the model you can visually "wire" together the various input and output fields they contain (see Figure 10-18). Wiring the camcorder's focus buttons to the LED display allows users to zoom in and out of the picture. Behaviors have been

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assigned to the viewfinder and LED display of the model (see Figure 10-19) (p 11, lines 1 – 6), which meet the limitation of **synchronously reproducing media; and transitioning between a first scene and a second scene.**

Regarding dependent claims 29 and 32, Core teaches that the blaxxun Contact browser already supports Universal Media, making it the first VRML browser of its kind (p 5, first two lines), which meet the limitation of **maintaining presentation consistency when the multimedia content is reproduced on the browser**, since Universal Media means you can craft media-rich worlds that download over the network instantly (p 4, lines 3 – 5).

Regarding dependent claims 35 and 39, Core teaches that Figure 10-10. Internet Space Builder is an integrated world-building tool that supports geometric modeling, texture editing, and scene creation (p 2), which meet the limitation of **combining the multimedia content and the browser to create one application.**

Regarding dependent claim 36, Core teaches that Internet Space Builder includes sophisticated texture-mapping and texture-editing tools, giving you great control over the appearance of texture maps used in your scenes. In addition, Internet Space Builder's multimedia capabilities allow you to map texture movies to objects and add MIDI and WAV file sound sources to scenes (p 1, World Builders, third paragraph), which meet the limitation of **controlling reading the one of the components in a**

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distribution format and displaying the one of the components on a graphic user interface (GUI).

Core teaches that Figure 10-11. Internet Scene Assembler lets you assemble premade objects into interactive, dynamic worlds (pp 2 and 3), which meet the limitations of **adding another component selected from the plurality of components, on the graphic user interface to the multimedia content and providing the graphic user interface for customizing the added component.**

Core teaches that because Internet Space Builder doesn't support behavior modeling or event handling, the scenes you create with this world-building tool are static in nature. As a result, you must import the scenes you create with this tool into a behavior-oriented authoring tool (p 3, first paragraph block), which meet the limitation of **converting the multimedia content edited in the displaying, adding, and providing steps into a distributable format.**

Regarding dependent claim 40, Core teaches that X3DML is a language designed to integrate easily with other languages, to precisely describe the types of information needed for creating animated 3D worlds. X3DML is being designed to broaden the tools available to authors and to ensure that what they create will last by putting that information into a form that is used by more tools, more implementers, and more authors (p 15, last block paragraph), which meet the limitation of **wherein the techniques utilized in the first format include XML.**

Regarding independent claims 30, 33, 34, 37, 38, 41 and 42, the claims incorporate substantially similar subject matter as claim 27 and are rejected along the same rationale.

Response to Arguments

6. Applicant's arguments filed 12/28/06 have been fully considered but they are not persuasive.

7. Applicant argues that Core does not disclose forming multimedia content by collecting scenes, each scene containing a component group formed by customizing and arbitrarily combining a plurality of components operating on a browser, the scene also containing a script for operating each component because the elements described by Core as part of the "world builders" are all premade objects (p 14, last paragraph).

The Office disagrees.

First, Core teaches that World-builder tools are 3D authoring programs that you can use to create entire VRML scenes from scratch. You *can* use world builders to assemble preexisting VRML objects into scenes where you can then add hyperlinks, lights, and viewpoints. World builders also allow you to visually customize existing VRML content for your own needs, and many actually offer integrated modeling tools with which you can construct your own objects (p 1, World Builders, first block paragraph).

In contradistinction, the elements described by Core are NOT all premade as asserted by applicant. However, premade objects can be implemented, customized and

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combined to create scenes from scratch (p 1, World Builders, first block paragraph), thus forming multimedia content by collecting scenes, each scene containing a component group formed by customizing and arbitrarily combining a plurality of components operating on a browser as claimed.

Further, Core teaches that because prototypes can be created using any number of VRML's built-in nodes, including Script nodes that contain programs written in languages such as Java and JavaScript, they can be quite sophisticated. A number of reusable prototype nodes are available on the Web, such as the freely available PROTO Repository, which can save content authors a great deal of time and tedium when it comes to implementing advanced features in their VRML worlds (p 16, second paragraph), which meet the limitation of **the scene also containing a script for operating each component.**

8. Applicant argues that Core does not disclose managing a life cycle of each component because Core merely teaches assembling objects into a scene where hyperlinks, lights, and viewpoints can be added (p 15, first full paragraph).

The Office disagrees.

First, Core teaches that World-builder tools are 3D authoring programs that you can use to create entire VRML scenes from scratch. World builders also allow you to visually customize existing VRML content for your own needs, and many actually offer integrated modeling tools with which you can construct your own objects (p 1, World

Builders, first block paragraph), which meets managing a life cycle of each component within the broadest reasonable interpretation in light of the Specification.

The only guidance the Specification provides for “managing a life cycle” is in Figure 20. From what the Office can surmise from this figure, managing a life cycle for each component constitutes reading, initializing, running, stopping, and/or destroying each component or object. The fact that Core explicitly and clearly teaches that each object can be constructed and customized from scratch meets the limitation within the broadest reasonable interpretation in light of the specification.

9. Applicant argues that Core does not teach managing focus transition between components because Core simply teaches that users are allowed to zoom in and out of the same picture (p 15, first full paragraph).

The Office disagrees.

First, Core teaches that wiring the camcorder’s *focus* buttons to the LED display, allowing users to zoom in and out of the picture, provides additional functionality (p 11, lines 1 – 6), which meets managing focus transition between components within the broadest reasonable interpretation in light of the Specification.

Once again, the only guidance the Specification provides for “managing focus transition” is in Figure 17. From what the Office can surmise from this figure, managing focus transition between components constitutes providing “focus” buttons. The fact that Core explicitly and clearly teaches that the camcorder’s “focus” buttons are wired to the

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LED display as shown in Figure 10-18 meets the limitation within the broadest reasonable interpretation in light of the specification.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NH


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